1 2 3 4 5 6 CINDY LYNN DUVALL, 7 8 v. 9 CAROLYN W. COLVIN, Acting Commissioner of Social 10 Security, 11 Defendant. 12 13 14 15 § 405(q). 16 17 18 19 ECF No. 6. 20 21 22 23 24 2.5 proceedings. 26

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Plaintiff,

ORDER GRANTING STIPULATED

MOTION FOR REMAND

COLVIN, Acting

er of Social

BEFORE THE COURT is the parties' stipulated motion to remand this case to the Commissioner for further administrative proceedings, **ECF No. 21**, pursuant to sentence four of 42 U.S.C. § 405(g).

Maureen J. Rosette represents plaintiff. Special Assistant United States Attorney Nancy A. Mishalanie represents defendant. The parties have consented to proceed before a magistrate judge. ECF No. 6.

After considering the stipulated motion, ECF No. 21, IT IS ORDERED that the motion is GRANTED. The case is REMANDED pursuant to sentence four of 42 U.S.C. § 405(g) for further administrative proceedings. Upon receipt of this Order, the Appeals Council will remand the case for further administrative proceedings.

IT IS FURTHER ORDERED:

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ORDER GRANTING STIPULATED MOTION FOR ORDER OF REMAND - 1

- 1. The parties' stipulated motion for an order of remand pursuant to sentence four, ECF No. 21, is **GRANTED.**
- 2. On remand the ALJ will conduct a new hearing and issue a new decision with respect to plaintiff's applications for DIB and SSI benefits.
  - 3. Further, the ALJ will
- (A) update the record and receive any additional evidence plaintiff wishes to submit;
- (B) reassess the severity of plaintiff's impairments, including fibromyalgia pursuant to SSR 12-2p;
- (C) give further consideration to the medical opinions in the record and articulate what weight is given to each;
  - (D) re-determine plaintiff's residual functional capacity;
  - (E) reassess plaintiff's credibility;
- (F) continue with the remaining steps of the sequential evaluation, obtaining supplemental vocational expert evidence regarding the erosion of the occupational base caused by plaintiff's assessed limitations, if necessary.
- 4. The District Court Executive is directed to enter this Order, enter judgment for plaintiff, forward copies to the parties and CLOSE the file.

IT IS SO ORDERED.

DATED this 10th day of April, 2013.

<u>s/James P. Hutton</u>

JAMES P. HUTTON

UNITED STATES MAGISTRATE JUDGE

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